

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OLUSEYI ADENIJI,

Plaintiff,

-against-

SECRETARY ALEJANDRO MAYORKAS,

Defendant.

23-CV-8955 (VSB)

ORDER OF SERVICE

VERNON S. BRODERICK, United States District Judge:

Plaintiff brings this *pro se* action asserting claims of employment discrimination. By order dated October 24, 2023, the Court granted Plaintiff's request to proceed *in forma pauperis*.

DISCUSSION

To allow Plaintiff, who is proceeding *in forma pauperis*, to effect service on Defendant Secretary Alejandro Mayorkas through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for Defendant Mayorkas. The Clerk of Court is further instructed to: (1) mark the box on the USM-285 form labeled "Check for service on U.S.A."; and (2) issue a summons and deliver to the Marshals Service a copy of this order and all other paperwork necessary for the Marshals Service to effect service on the United States.

It is Plaintiff's responsibility to ensure that service is made within 90 days of the date the summons is issued and, if necessary, to request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012). Plaintiff also must notify the Court in writing if Plaintiff's address changes, and the Court may dismiss the action if Plaintiff fails to do so.

CONCLUSION

The Clerk of Court is directed to mail an information package to Plaintiff.

The Clerk of Court is further instructed to (1) fill out a USM-285 form for Defendant Alejandro Mayorkas; (2) mark the box on the USM-285 form labeled “Check for service on U.S.A.”; and (3) issue a summons and deliver to the Marshals Service a copy of this order and all other paperwork necessary for the Marshals Service to effect service on the United States.

Plaintiff may agree to accept service of court documents by email by completing the attached form, [Consent to Electronic Service](#).¹

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: December 18, 2023
New York, New York



VERNON S. BRODERICK
United States District Judge

¹ If Plaintiff consents to accept service of documents by email, Plaintiff will no longer receive court documents by regular mail.

DEFENDANTS AND SERVICE ADDRESSES

1. Alejandro Mayorkas, Secretary
Department of Homeland Security
500 C Street SW, Floor 7SW
Washington, D.C. 20472-3179